

**Introduced by Senators De León, Correa, Hernandez, Hueso, Huff,  
Lara, Lieu, Liu, Steinberg, and Torres**

(Principal coauthor: Assembly Member Fong)

May 20, 2014

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Senate Concurrent Resolution No. 122—Relative to Chinese Americans in California.

LEGISLATIVE COUNSEL'S DIGEST

SCR 122, as introduced, De León. Chinese Americans in California.

This measure would acknowledge the history of the Chinese in California, recognize the contributions made to the State of California by Chinese Americans and Chinese immigrants, and apologize for past discriminatory laws and constitutional provisions that resulted in the persecution of Chinese living in California.

Fiscal committee: no.

1 WHEREAS, The California gold rush triggered one of the largest  
2 mass migrations in world history and captured global imagination  
3 as the destination for wealth and opportunity. That global migration  
4 made California one of the world's most diverse states, which  
5 would serve as the foundation for its economic, academic, and  
6 cultural growth in the 20th century; and  
7 WHEREAS, The California gold rush paved the way in funding  
8 and manpower for the creation and building of the western leg of  
9 the transcontinental railroad. The transcontinental railroad was  
10 considered the greatest American technological feat of the 19th  
11 century, was a dream of Abraham Lincoln's, and was what many  
12 considered the most important aspect in strengthening the position  
13 of the United States in the international spotlight. The track served

1 as a vital link for trade, commerce, and travel by joining east and  
2 west, further transforming the population and economy of  
3 California; and

4 WHEREAS, The Central Pacific portion of the transcontinental  
5 railroad recruited the Chinese in America and later tens of  
6 thousands of Chinese immigrants as a source of labor. Chinese in  
7 America and Chinese immigrants were paid less than their white  
8 counterparts and slept in tents while white laborers were provided  
9 both food and shelter. The Chinese laborers worked under grueling  
10 and treacherous conditions in order to lay thousands of miles of  
11 track. On May 10, 1868, alone, Chinese workers laid 10 miles of  
12 track in less than 12 hours in order to complete the last leg of the  
13 railroad. Without the tremendous efforts and contributions of the  
14 Chinese in building the transcontinental railroad, the development  
15 and progress of our nation and California would have been delayed  
16 by years; and

17 WHEREAS, Once the transcontinental railroad was complete,  
18 Chinese in California transitioned to other types of employment,  
19 making considerable contributions to the progress and growth of  
20 our state. Chinese in California built ships for fishing along our  
21 coast and developed the abalone and shrimp industries. In the Delta  
22 and the central valley, the Chinese in California helped to recover  
23 the tule swamps, to build irrigation systems, and to harvest various  
24 fruits and vegetables for California's agriculture industry; and

25 WHEREAS, The Legislature enacted discriminatory laws  
26 targeting Chinese in America and Chinese immigrants in order to  
27 discourage further immigration from China and sought to severely  
28 limit the success of the Chinese laborers already here; and

29 WHEREAS, Among other things, these laws denied the Chinese  
30 in California the right to own land or property, the right to vote,  
31 and the right to marry a white person, denied children of Chinese  
32 descent access to public schools, denied Chinese immigrants the  
33 right to bear arms, unfairly targeted women of Chinese descent by  
34 imposing special requirements in order for them to be allowed to  
35 immigrate into the state, authorized the removal of Chinese  
36 immigrants to outside town and city limits, denied Chinese laborers  
37 employment in public works projects and through state agencies,  
38 prohibited the issuance of licenses to Chinese in California, denied  
39 Chinese in California the right to fish in California's waters, and

1 unduly taxed Chinese businesses and individuals who employed  
2 Chinese laborers; and

3 WHEREAS, Chinese in California were denied the right to  
4 testify as a witness in any action or proceeding in which a white  
5 person was a party, pursuant to a state law that was upheld in  
6 *People v. Hall* (1854) 4 Cal. 399. As a result of the decision to  
7 place Chinese in California outside of the protection of the law,  
8 many Chinese in California were left extremely vulnerable to  
9 violence and abuse; and

10 WHEREAS, Chinese in California faced further discrimination  
11 under local ordinances that targeted traditional Chinese culture  
12 and customs. Laws were enacted forcing Chinese men in San  
13 Francisco to cut off their traditional queues, banning the Chinese  
14 traditional style of transporting fruits and vegetables, unjustly  
15 raising taxes on Chinese-owned laundromats, targeting the Chinese  
16 custom of disinterring the remains of their deceased to send back  
17 to China for proper burial, and forcing the Chinese in San Francisco  
18 to live within an area that was considered unsanitary and unsafe  
19 to ordinary individuals. These laws were enacted in order to impose  
20 shame and humiliation on Chinese Americans and Chinese  
21 immigrants; and

22 WHEREAS, Former Article XIX of the California Constitution,  
23 which was adopted in 1879 and unfairly targeted and discriminated  
24 against Chinese living in California, remained in effect for 73 years  
25 until it was repealed in 1952; and

26 WHEREAS, Despite decades of systematic, pervasive, and  
27 sustained discrimination, Chinese living in California persevered  
28 and went on to make significant contributions to the growth and  
29 success of our state; and

30 WHEREAS, Today, Californians of Chinese descent occupy  
31 leading roles in politics, business, and academia. The contributions  
32 of Chinese Americans to the State of California are vast and  
33 irreplaceable. They have played a central role in turning  
34 California's university system, technology industry, businesses,  
35 and agriculture into a world power; now, therefore, be it

36 *Resolved, by the Senate of the State of California, the Assembly*  
37 *thereof concurring*, That diversity is one of our state's greatest  
38 strengths, enabling California to thrive economically, agriculturally,  
39 technologically, academically, and politically at an international  
40 level. Our great state has relied on immigrants of all backgrounds

1 to build our infrastructure, and integrating them into our society  
2 not only helps them prosper, but helps California prosper as well;  
3 and be it further

4 *Resolved*, That while this nation was founded on the principle  
5 that all men are created equal, and while we pay tribute to the great  
6 American creed “give me your tired, your poor, your huddled  
7 masses yearning to breathe free” that stands at the base of  
8 America’s Statue of Liberty, a symbol of hope for all who live,  
9 and all who wish to live, in the United States of America, we  
10 recognize that the practices of our state and its government have  
11 not always honored that promise. Ours is a state with an imperfect  
12 history where intolerance spurred the enactment of unjust  
13 discriminatory laws that have too often denied minority groups  
14 access to the promise of America, that all men are created equal.  
15 Today that struggle continues, and learning from our past will help  
16 enable us to travel further down the path toward building a more  
17 perfect union; and be it further

18 *Resolved*, That the Legislature apologizes for the enactment of  
19 past discriminatory laws and constitutional provisions that resulted  
20 in the persecution of Chinese living in California, which forced  
21 them to live in fear of unjust prosecutions on baseless charges, and  
22 that unfairly prevented them from earning a living. The Legislature  
23 apologizes for these acts and reaffirms its commitment to  
24 preserving the rights of all people and celebrating the contributions  
25 that all immigrants have made to this state and nation; and be it  
26 further

27 *Resolved*, That the Secretary of the Senate transmit copies of  
28 this resolution to the author for appropriate distribution